

# Newark

Ras J. Baraka  
Mayor

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December 9, 2021

**Via Ecourts**

Hon. Leda D. Wettre, U.S.M.J.  
MLK Federal Building and Courthouse  
50 Walnut Street  
Newark, NJ 07102

Re: CITY OF NEWARK v. CITY OF NEW YORK ET AL  
Docket No. 2:19-cv-20931  
United States District Court, District of New Jersey

Dear Judge Wettre:

Please accept this as the Plaintiff City of Newark's status letter in advance of the upcoming status conference.

I just realized that I had not provided this status letter when due last week. I overlooked the deadline and apologize to Your Honor and counsel for this late submission.

**Discovery on the Plaintiff City of Newark**

The City of Newark has answered interrogatories from NYC.

The City of Newark has, albeit incrementally, provided substantial responsive documents. We have turned over several thousand pages of documents representing the bulk of responsive documents. These include: (1) all landlord tenant documents in Newark's possession regarding those SOTA recipients previously relocated to Newark (approximately 18% of such SOTA recipients face or have faced eviction); (2) all "inspection" records; and (3) redacted documents concerning self-identified SOTA recipients who affirmatively sought legal representation from the City of Newark's Office of Tenant Legal Services.

There are additional requests and we are continuing to work on them and will be providing additional responsive documents.

The intervenor Tenants have served discovery demands and we are also working on responses to those demands as well.

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The parties have had several meet and confer discussions without Court intervention and I believe we are progressing.

**Fact witness depositions**

We are in receipt of a number of deposition notices upon the City of Newark. We will be providing proposed dates for such depositions shortly.

We have not yet served deposition notices upon NYC but intend to do so shortly as well.

**Other issues**

The parties have discussed resuming settlement discussions. NYC and the Intervenor Tenants have expressed a desire to immediately resume such discussions. On our part, the City of Newark recognizes that in a few weeks (January 1, 2022) there will be a regime change in NYC and is optimistic that there may be a change in the new administration's priorities that could significantly impact this litigation.

The City of Newark would prefer a political resolution of this matter rather than a litigated one and we have suggested that settlement discussions resume after the new administration.

Separately, the City of Newark is reviewing its Ordinance (R.O. 10:6-10.3) which is the "needy persons" provision. The City of Newark is contemplating the elimination of that provision which may moot some, but not all, of the issues in this matter.

Respectfully submitted,

Kenyatta Stewart  
Corporation Counsel

By: /s/ Gary S. Lipshutz  
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/GSL